

PAULEY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

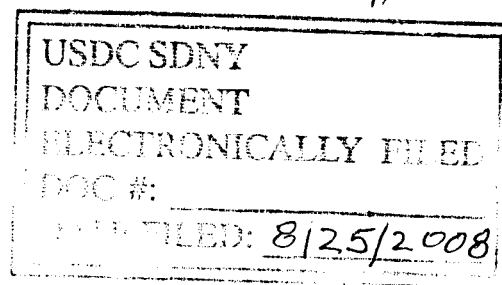
TIME INC., HEARST CORPORATION, ADVANCE  
MAGAZINE PUBLISHERS INC., AMERICAN  
MEDIA, INC., HACHETTE FILIPACCHI MEDIA  
U.S., INC., THE MCGRAW-HILL COMPANIES,  
INC., NEWSWEEK, INC., SOURCE INTERLINK  
MAGAZINES, LLC, REED BUSINESS  
INFORMATION, A DIVISION OF REED  
ELSEVIER INC., VARIETY, INC., REED  
ELSEVIER PROPERTIES INC., BONNIER  
CORPORATION, ZIFF DAVIS PUBLISHING  
HOLDINGS INC., FORBES LLC, REIMAN MEDIA  
GROUP, INC., RD LARGE EDITION, INC., HOME  
SERVICE PUBLICATIONS, INC. and READER'S  
DIGEST LATINOAMERICA SA,

Plaintiffs,

- against -

DARREN ANDREW BUDD, SALVEO LIMITED,  
CYBERNET COMMUNICATIONS, INC.,  
SWITCHWORKS TECHNOLOGIES, INC.,  
HAMIDULLA GHUMAL ABBAS, YOAV  
SCHWARTZ, RICK ROSS and JOHN DOES 1-20,

Defendants.



08 Civ. 7392  
J. Pauley

**ORDER TO SHOW CAUSE**

Upon the summons and complaint herein; the annexed declaration of Lacy H. Koonce, III, sworn to August 20, 2008; the annexed declaration of Andrew Blau, sworn to August 19, 2008; the annexed declaration of Barry Kuang Pai-Chun, sworn to August 20, 2008; the annexed declaration of Michael J. Antonello, sworn to August 18, 2008; the annexed declaration of Jeremy Thompson, sworn to August 18, 2008; the annexed declaration of John Bellando, sworn to August 19, 2008; the annexed declaration of Kai Falkenberg, sworn to August 19, 2008; the annexed declaration of Debra S. Weaver, sworn to August 15, 2008; the annexed declaration of Adriaan Bouten, sworn to August 19, 2008; the annexed declaration of Randy L. Shapiro, sworn

to August 19, 2008; the annexed declaration of Mark K. Sirota, sworn to August 18, 2008; the annexed declaration of Jeremy Pomeroy sworn to August 18, 2008; the annexed declaration of Renee Simonton sworn to August 18, 2008; the annexed declaration of Scott J. Spooner sworn to August 15, 2008; the annexed declaration of Paul A. Lee sworn to August 14, 2008; the annexed declaration of Shirini Malkani sworn to August 19, 2008; and the accompanying memorandum of law; and all pleadings and proceedings heretofore had herein; it is hereby:

ORDERED that defendants Darren Andrew Budd, Salveo Limited, Cybertet Communications, Inc., Switchworks Technologies, Inc., Hamidulla Ghumal Abbas, Yoav Schwartz, Rick Ross and John Does 1-20 (collectively, "Defendants"), show cause before this Court on the 24<sup>th</sup> day of August, 2008 at 10<sup>45</sup> <sup>in Courtroom 11D</sup> M. why a preliminary injunction under and pursuant to Rule 65 of the Federal Rules of Civil Procedure should not be entered:

A. Preliminarily and permanently enjoining and restraining defendants, their officers, directors, agents, servants employees, licensees and assigns, and all persons, forms or corporations acting under their direction or pursuant to their control, or in active concert or participation with them from:

(1) reproducing, uploading, posting, displaying, distributing or creating derivative works from plaintiffs' copyrighted magazine content in the United States;

(2) inducing, encouraging, causing, facilitating, materially contributing to, or receiving a direct financial benefit from, the reproduction, uploading, posting, display, distribution or creation of derivative works from plaintiffs' copyrighted magazine content by others in the United States; and

(3) using any trademark or trade dress that is likely to be confusingly similar to, or dilutive of, any of plaintiffs' trademarks or service marks or trade dress, in a way that is likely to have an impact on interstate commerce; and

(4) inducing, encouraging, causing, facilitating, materially contributing to, or receiving a direct financial benefit from, the use, reproduction, posting, and display of any trademark or trade dress that is likely to be confusingly similar to, or dilutive of, any of plaintiffs' trademarks or service marks or trade dress, in a way that is likely to have an impact on interstate commerce, by others in the United States.

ORDERED that a bond in support of the aforesaid preliminary injunction, the amount of

✓ \$ 10,000, be posted by plaintiffs on or before 5 p.m., on August 22, 2008; and it is further

ORDERED, that sufficient reason having been shown therefore, pending the hearing of plaintiffs' application for a preliminary injunction, pursuant to Rule 65 of the Federal Rules of Civil Procedure, the named defendants, their officers, agents and servants and all those acting under their direction or pursuant to their control, or in active concert or participation with them, are temporarily enjoined from the activities identified in the foregoing paragraph hereof, and it is further

ORDERED that sufficient cause having been shown, let service of this order, together with the papers upon which it was granted, be made upon defendants by personal service or, if plaintiffs are unable to serve defendants personally after reasonable efforts to do so, by international registered mail to defendants' last known addresses, and it is further

ORDERED that answering papers, if any, shall be filed and served by defendants upon the attorneys for plaintiffs by delivering copies thereof to their offices by hand on or before

✓ 5 p.m. on August 28, 2008.

*Such service as described to be made by not later than 5 PM on August 28, 2008*

Dated: New York, New York  
August 21, 2008

✓

11:45 AM EDIT PAC



U.S.D.J (Part I)

